

State of Minnesota
County of Ramsey

District Court
2nd Judicial District

Prosecutor File No. 0620377576
Court File No. 62-CR-17-352

State of Minnesota,

Plaintiff,

vs.

ALAN LUCES KRUEGER DOB: 05/04/1989

1880 Birch St., #102
White Bear Lake, MN 55110

Defendant.

COMPLAINT

Order of Detention

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Assault - 4th Degree - Peace Officer - Throws/transfers bodily fluids or feces at or onto officer

Minnesota Statute: 609.2231.1(c)(2)

Maximum Sentence: 3 years or \$6,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 01/16/2017

Control #(ICR#): 17002060

Charge Description: On or about January 16, 2017, in the County of Ramsey, Minnesota, the defendant, Alan Luces Krueger, did intentionally throw or otherwise transfer bodily fluids at or onto a peace officer licensed under state law who was effecting a lawful arrest or executing any other duty imposed by law.

COUNT II

Charge: Traffic - DWI - Refuse to Submit to Chemical Test

Minnesota Statute: 169A.20.2, with reference to: 169A.25.2, 169A.25.1(b), 609.03.2

Maximum Sentence: 1 year, or \$3000 fine, or both

Offense Level: Gross Misdemeanor

Offense Date (on or about): 01/16/2017

Control #(ICR#): 17002060

Charge Description: On or about January 16, 2017, in the County of Ramsey, Minnesota, the defendant, Alan Luces Krueger, did refuse to submit to a chemical test of blood, breath, or urine, pursuant to 169A.51 or 169A.52, after having driven, operated, or been in physical control of a motor vehicle and one aggravating factor was present.

STATEMENT OF PROBABLE CAUSE

Approximately 2:20 AM on January 16, 2016, LF was on her way home from working a shift as a nurse in an emergency room when she came upon a 2015 Honda Civic bearing Minnesota license plates 238RRX facing the wrong way in a ditch on Otter Lake Road near Brandlwood Road, White Bear Township, Ramsey County. The Civic was running and its lights were on.

LF approached the Civic and initially thought it was unoccupied. LF peered into the front passenger window and saw a young woman who was naked from the waist down and had her feet pointed towards the driver's seat. LF saw a man in the driver's seat with his head in the female's crotch area. LF did not get any acknowledgment from either occupant when she knocked on car.

LF initially told herself that the couple was young and just having sex, but she noted they were facing the wrong way on the road and in the ditch. LF contacted police because the woman didn't flinch or acknowledge hearing anything when LF knocked. LF was concerned that the woman was too drunk to consent to any type of sex in which he was engaged. While LF was on the phone with dispatch, the male exited the Civic and approached her car. The man asked LF for a ride. LF refused, but she told the man she was on the phone asking someone to help him. When the man returned to the Civic, LF noted his gait was unsteady.

Ramsey County Sheriff Deputies responded and made contact with the Civic which is registered to **ALAN LUCES KRUEGER (DOB: 5-4-1989)**. Krueger was in the driver's seat and SL was in the passenger seat. Deputy Hayden attempted to speak to SL. SL had a strong odor of alcoholic beverage coming from her. SL had vomit on her leg and there was also vomit on the passenger floor. SL had difficulty answering questions and was intoxicated. Deputies made arrangements for SL to be taken home by her brother.

Krueger was asked to step out of the Civic. Krueger had a hard time maintaining his balance. Krueger's eyes were watery and his speech was slurred. When asked how much he had to drink, Krueger responded, "You tell me." Krueger said he was going home. When asked where his home is, Krueger said, "You tell me." Krueger failed standard field sobriety tests. Krueger was asked to provide a preliminary breath test sample. Krueger was told to form a tight seal with his lips on the straw and to blow hard. Krueger responded, "That's what she said." Krueger did not comply with instructions and gave short puffs of breath. Krueger was arrested for DWI.

Krueger began to resist efforts to arrest him. Krueger was reluctantly placed in the back seat of a squad and a tow truck was requested for the Civic. Krueger began to scream and said he wanted to be removed from the handcuffs so he could "fuck up" Deputy Medzis. It was determined that Deputy Hayden was going to transport Krueger to the Ramsey County Law Enforcement Center for booking. Krueger was asked if he was going to cooperate and said he would. Krueger was removed from one squad and began walking towards the other squad. Krueger attempt to lung at Deputy Medzis but he was being held and was unsuccessful.

Deputy Medzis heard Krueger spit so he covered Krueger's mouth with his right gloved hand. Deputies opened a squad door and Krueger resisted being placed in the back seat. Krueger looked directly at Deputy Medzis who again tried using his right hand to direct Krueger's face away from him. Before Deputy Medzis made contact with Krueger's face, Krueger spat saliva on Deputy Medzis's right hand.

Krueger continued to thrash about the squad and was eventually taken to the Ramsey County Law Enforcement Center where he was read the Implied Consent advisory. When asked if he understood what

had been explained to him, Krueger replied, "Yeah, tell me my Miranda rights. Suck my dick. I'm ready go back in the jail cell. Fuck you." When asked if he wished to consult with an attorney, Krueger said, "I wish to fuck you in the ass. How about that?" Krueger then said, "Yeah, I know what time it is. Yeah, fuck it, for traffic. I paid for your school. I paid for your tuition. Yeah, you're a privileged motherfucker." Krueger's responses were taken as a breath test refusal.

On April 23, 2007, Krueger pled guilty and was sentenced on a misdemeanor DWI in Stearns County District Court file 73-T5-07-000558.

NOTICE: Pursuant to Minnesota Statute 609.49, subd. 1 (a) A person charged with or convicted of a felony and released from custody, with or without bail or recognizance, who intentionally fails to appear when required after having been notified that a failure to appear for a court appearance is a criminal offense, or after having been released on an order or condition that the releasee personally appear when required with respect to the charge or conviction, is guilty of a crime for failure to appear and may be sentenced to not more than one-half of the maximum term of imprisonment or fine, or both, provided for the underlying crime for which the person failed to appear, but this maximum sentence shall, in no case, be less than a term of imprisonment of one year and one day or a fine of \$1,500, or both.

SIGNATURES AND APPROVALS

Complainant requests that Defendant, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

Complainant

Dan Eggers
425 Grove St
St Paul, MN 55101

Electronically Signed:
01/17/2017 02:15 PM
Ramsey County, MN

Being authorized to prosecute the offenses charged, I approve this complaint.

Prosecuting Attorney

Derek Fitch
Assistant County Attorney
345 Wabasha Street N
Suite 120
St Paul, MN 55102
(651) 266-3222

Electronically Signed:
01/17/2017 12:48 PM

FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

☐ SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear on _____, _____ at _____ AM/PM before the above-named court at 15 W Kellogg Blvd, St Paul, MN 55102 to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

☐ WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

☐ *Execute in MN Only*

☐ *Execute Nationwide*

☐ *Execute in Border States*

☒ ORDER OF DETENTION

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$

Conditions of Release:

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: January 17, 2017.

Judicial Officer

Timothy Mulrooney
Judge

Electronically Signed: 01/17/2017 02:31 PM

Sworn testimony has been given before the Judicial Officer by the following witnesses:

COUNTY OF RAMSEY
STATE OF MINNESOTA

State of Minnesota

Plaintiff

vs.

Alan Lucus Krueger

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE
I hereby Certify and Return that I have served a copy of this Order of Detention upon the Defendant herein named.

Signature of Authorized Service Agent: